

**AMENDMENTS TO THE CLAIMS**

This listing of the claims replaces all prior versions and listings of the claims in the application.

**Listing of Claims:**

1. (Currently Amended) A method for a system comprising a communications device and a communications network, the method comprising:

~~generally providing allocating, by the communications network, at least a direct cell access channel mechanism and an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access mechanism is a mechanism enabling the direct cell access channel to permit the communications device to directly start sending user data on the direct cell access a traffic channel without requesting access resources when user data is available to send;~~

~~providing an alternative uplink transmission mechanism for the communication device to send data to the communications network if the direct cell access channel cannot be provided; and~~

~~determining by the communications network and indicating to the communications device whether the direct cell access channel is available for use mechanism can at a given time be provided; and~~

~~providing the communications device with a periodic indication of the availability for use of the direct cell access channel.~~

2. (Original) A method according to claim 1, wherein in a situation in which the direct cell access can not be provided the method comprises:

indicating to the communications device that the alternative cell access mechanism should be used.

3. (Original) A method according to claim 2, wherein the alternative cell access mechanism comprises using a separate access channel for uplink access.
4. (Cancelled)
5. (Currently Amended) A method according to claim 1, wherein a radio interface between the mobile communications device and the communication network is layered into protocol layers which form a protocol stack, and the direct cell access traffic channel forms part of a logical traffic channel operating on a data link layer (Layer 2) of the protocol stack.
6. (Currently Amended) A method according to claim 5, wherein said indicating whether the communications device can directly start sending on the direct cell access a traffic channel is carried out on a network layer (Layer 3) of the protocol stack.
7. (Currently Amended) A method according to claim 1, wherein said indicating whether the direct cell access mechanism can be provided providing is performed by sending a broadcast message to a set of communications devices including [[the]] said communications device of claim 1.
8. (Original) A method according to claim 7, wherein said broadcast message contains a parameter value further restricting the set of communications devices.

9. (Currently Amended) A method according to claim 1, wherein said ~~indicating whether the direct cell access mechanism can be provided~~ providing is performed by sending a multicast message to a limited set of communications devices including [[the]] said communications device ~~of claim 1~~.

10. (Currently Amended) A method according to claim 1, wherein said ~~indicating whether the direct cell access mechanism can be provided~~ providing is performed by sending a point-to-point message to the communications device.

11. (Currently Amended) A method according to claim 7, wherein said message conveys to [[the]] said communications device a parameter value indicating whether the direct cell access mechanism channel is enabled.

12. (Currently Amended) A method according to claim 1, wherein the communications network comprises a base station serving a cell of a mobile communications system, and wherein the method comprises:

performing one or more traffic and/or radio measurements by the base station; and

determining by the base station whether the direct cell access channel mechanisms can, at a given time, be provided to the communications device, on the basis of said measurements.

13. (Currently Amended) A communications device configured for operation with a communications network, which communications network allocates generally provides at least a direct cell access mechanism and provides for an alternative cell access mechanism for the communications device for uplink access to the communications network, wherein the direct cell access channel is to permit mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send, the communications device comprising:

means (RF, MCU, 515, SW) for receiving an indication sent periodically by the communications network, the indication indicating to the communications device whether the direct cell access channel is available at a given time; and mechanism can at a given time be provided

means for transmitting uplink data on the direct cell access channel when the indication indicates that the direct cell access channel is available and when the communications device has uplink data to send.

14. (Cancelled)

15. (Currently Amended) A base station of a communications network, comprising:

means for allocating generally providing at least a direct cell access channel to a communications device, the direct cell access channel to enable the communications device to directly start transmitting data on the direct cell access channel without first requesting access resources when the communications device has data to be sent; mechanism and

means for providing an alternative cell access mechanism for [[a]] the communications device for uplink access to the communications network if the direct cell access channel cannot be provided, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send; [[and]]

means for determining by the communications network and indicating to the communications device whether the direct cell access channel is available for use mechanism can at a given time be provided; and

means for providing the communications device with a periodic indication of the availability for use of the direct cell access channel.

16. (Currently Amended) A system comprising a communications device and a communications network, the communications network comprising:

means for allocating generally providing at least a direct cell access channel to a communications device, the direct cell access channel to enable the communications device to directly start transmitting data on the direct cell access channel without first requesting access resources when the communications device has data to be sent; mechanism and

means for providing an alternative cell access mechanism for [[a]] the communications device for uplink access to the communications network if the direct cell access channel cannot be provided, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send; [[and]]

means for determining by the communications network and indicating to the communications device whether the direct cell access channel is available for use mechanism can at a given time be provided; and

means for providing the communications device with a periodic indication of the availability for use of the direct cell access channel; and

the communications device comprising:

means (RF, MCU, 515, SW) for receiving said indication.

17. (Currently Amended) A communications device to operate configured for operation with a communications network, the communications device comprising:

a receiver to receive for receiving an a periodic indication sent by the communications network, the indication indicating to the communications device whether a direct cell access channel mechanism that is allocated to the communications device generally provided by the communications network for direct uplink access without requesting access resources when data is available for uplink transmission can, at a given time, be provided[[,]]; and

~~the communications device being configured a controller coupled to the receiver to direct the communications device to use said direct cell access channel mechanism in response to receiving said indication, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send.~~

18. (Previously Presented) A communications device according to claim 17, wherein the communications device is a mobile hand-held device of a cellular communications network.

19. (Currently Amended) A communications device according to claim 17, wherein said indicating whether the direct cell access mechanism can be provided comprises indicating whether the communications device can directly start sending user data on the direct cell access a traffic channel at a high data rate.

20. (Currently Amended) A communications device according to claim 17, wherein a radio interface between the communications device and the communications network is layered into protocol layers which form a protocol stack, and the direct cell access traffic channel forms part of a logical traffic channel operating on a data link layer (Layer 2) of the protocol stack.

21. (Currently Amended) A communications device according to claim 20, wherein said indicating whether the communications device can directly start sending on the direct cell access a traffic channel is carried out on a network layer (Layer 3) of the protocol stack.

22. (Previously Presented) A communications device according to claim 17, wherein the communications device is configured to receive a broadcast message comprising said indication.

23. (Previously Presented) A communications device according to claim 17, wherein the communications device is configured to receive a multicast message comprising said indication.
24. (Previously Presented) A communications device according to claim 17, wherein the communications device is configured to receive a point-to-point message comprising said indication.
25. (Currently Amended) A communications device according to claim 17, wherein the communications device is configured to receive a parameter value indicating whether the direct cell access channel mechanism is enabled.
26. (Currently Amended) An apparatus, comprising:
- a module ~~eonfigured to allocate to a communications device provide generally~~ at least a direct cell access channel to permit the communications device to directly start sending uplink data to a communications network on the direct cell access channel without requesting access resources when uplink data is available to send; mechanism and
- a module to provide to the communications device an alternative cell access mechanism for a communications device for uplink access to [[a]] the communications network when the direct cell access channel cannot be provided, wherein the direct cell access mechanism is a mechanism enabling the communications device to directly start sending user data on a traffic channel without requesting access resources when user data is available to send; and
- a determination module to determine whether, at a given time, the direct cell access channel can be provided; and

[[and]] a transmitter ~~for determining and indicating to provide~~ to the communications device ~~a periodic indication of~~ whether the direct cell access ~~channel mechanism~~ can, at a given time, be provided.

27. (Previously Presented) An apparatus according to claim 26, wherein the apparatus is configured to operate as a base station of the communications network.

28. (Currently Amended) An apparatus according to claim 26, wherein, in a situation in which the direct cell access channel can not be provided, the apparatus is configured to indicate to the communications device that the alternate cell access mechanism should be used.

29. (Previously Presented) An apparatus according to claim 26, wherein the alternative cell access mechanism comprises using a separate access channel for uplink access.

30. (Currently Amended) An apparatus according to claim 26, wherein said indicating whether the direct cell access channel mechanism can be provided comprises indicating whether the communications device can directly start sending user data on the direct cell access a traffic channel at a high data rate.

31. (Currently Amended) An apparatus according to claim 26, wherein a radio interface between the apparatus and the communications device is layered into protocol layers which form a protocol stack, and the direct cell access traffic channel forms part of a logical traffic channel operating on a data link layer (Layer 2) of the protocol stack.

32. (Currently Amended) An apparatus according to claim 31, wherein said indicating whether the communications device can directly start sending on the direct cell access a traffic channel is carried out on a network layer (Layer 3) of the protocol stack.

33. (Currently Amended) An apparatus according to claim 26, wherein the apparatus is configured to indicate whether the direct cell access channel mechanism can be provided by transmitting a broadcast message, a multicast message, or point-to-point message(s).

34. (Currently Amended) An apparatus according to claim 26, wherein the apparatus is configured to indicate whether the direct cell access channel mechanism can be provided by transmitting a broadcast message, and wherein said broadcast message contains a parameter value restricting a set of communications devices to which the message is to be transmitted.

35. (Currently Amended) An apparatus according to claim 26, wherein the apparatus is configured to indicate whether the direct cell access channel mechanism can be provided by transmitting a message comprising a parameter value indicating whether the direct cell access channel mechanism is enabled.

36. (Currently Amended) An apparatus according to claim 26, wherein the apparatus is configured to operate as a base station of the communications network, and wherein the determination module~~apparatus~~ is ~~configured~~ to perform traffic and/or radio measurements and to determine whether the direct cell access mechanism can, at a given time, be provided on the basis of said measurements.

37. (Cancelled)

38. (Currently Amended) A method according to claim [[37]] 1, wherein, in the alternative cell access mechanism, a two step process occurs in which the communications device first requests access to the communications network.